

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILLIS B. ANNIS,

Case No. 3:21-cv-00469-MMD-CLB

Plaintiff,

ORDER

MATHEW JOHNSON, *et al.*,

Defendants.

11 Pro se Plaintiff Willis Annis filed an application to proceed *in forma pauperis* on
12 November 3, 2021, but Annis did not file a complaint. (ECF No. 1.) The Court
13 subsequently issued an order advising Annis that he needed to file a complaint by
14 December 27, 2021, and later extended that deadline to February 18, 2022. (ECF Nos.
15 4, 11.) Before the Court is the Report and Recommendation (ECF No. 13 (“R&R”)) of
16 United States Magistrate Judge Carla L. Baldwin, recommending Annis’s application to
17 proceed *in forma pauperis* be denied, this action be dismissed without prejudice, and all
18 pending motions be denied as moot. Annis had until March 10, 2022, to file an objection.
19 To date, no objection to the R&R has been filed. For this reason, and as explained below,
20 the Court adopts the R&R and will close this case.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate judge’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); see also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory

1 Committee Notes (1983) (providing that the Court "need only satisfy itself that there is no
2 clear error on the face of the record in order to accept the recommendation.").

3 Because there is no objection, the Court need not conduct *de novo* review, and is
4 satisfied Judge Baldwin did not clearly err. Here, Judge Baldwin recommends dismissing
5 this action without prejudice, denying the pending motions as moot, and closing this case
6 because Annis has not filed a complaint in this action despite being given additional time.
7 (ECF No. 13 at 1.) The Court agrees with Judge Baldwin. Having reviewed the R&R and
8 the record in this case, the Court will adopt the R&R in full.

9 It is therefore ordered that Judge Carla L. Baldwin's Report and Recommendation
10 (ECF No. 13) is accepted and adopted in full.

11 It is further ordered that Plaintiff Willis Annis's application to proceed *in forma*
12 *pauperis* (ECF No. 1) is denied.

13 It is further order that this action be dismissed without prejudice.

14 It is further ordered that all pending motions (ECF Nos. 3, 5, 6, 7, 8, 10) are denied
15 as moot.

16 The Clerk of Court is directed to close this case.

17 DATED THIS 16th Day of March 2021.

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20 MIRANDA M. DU
21 CHIEF UNITED STATES DISTRICT JUDGE
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